

Privacy Code Policy

1. Rationale

1.1 At Victoria Hospice, we understand that privacy is a critical issue for all of our stakeholders. Our privacy code outlines our principles and procedures regarding the confidentiality and security of stakeholder personal information.

2. Policy

2.1. This code outlines the principles Victoria Hospice applies when protecting stakeholders' privacy. We believe that ensuring the accuracy, confidentiality and security of the information we hold about you is more than simply a legal requirement, it is an ethical obligation.

2.2. This code is based on the requirements of the Federal Personal Information Protection and Electronic Documents Act (PIPEDA) and the British Columbia Personal Information Protection Act (PIPA). Based on this legislation, we have tailored our own ten privacy principles to meet the specific needs and expectations of our stakeholders.

Section A: Victoria Hospice's Accountability

Section B: Identifying the Purposes of Personal Information

Section C: Stakeholder Consent

Section D: Limits for Collecting Personal Information

Section E: Limits for Using, Disclosing and Keeping Personal Information

Section F: Accuracy

Section G: Safeguarding Personal Information

Section H: Availability of Policies and Procedures

Section I: Providing Stakeholder Access to Personal Information

Section J: Compliance and Complaints

3. Scope

3.1. This code applies throughout Victoria Hospice. It outlines the principles and commitments we make to stakeholders, to protect their privacy and personal information.

4. Definitions

4.1. "Victoria Hospice" – means Victoria Hospice Society and/or Victoria Hospice and Palliative Care Foundation.

4.2. "Collection" – the act of gathering, acquiring or obtaining personal information from any source, including third parties, by any means.

- 4.3. "Consent" – involves voluntary agreement with what is being done or proposed. Express consent can be given orally or in writing, it is unequivocal and does not require any inference on the part of Victoria Hospice. Implied consent exists when Victoria Hospice can reasonably infer consent based upon the action or inaction of the stakeholder.
- 4.4. "Stakeholder" – is any individual who uses or applies to use any services with Victoria Hospice or is a donor to Victoria Hospice.
- 4.5. "Disclosure" – the act of making personal information available to others outside of Victoria Hospice.
- 4.6. "Use" – the treatment and handling of personal information by and within Victoria Hospice.
- 4.7. "Personal Information" – information about an identifiable individual that is recorded in any form; excluding the individual's name, business title, business address and business phone number.
- 4.8. "Third-Party" – an individual or organization other than Victoria Hospice and the stakeholder.

5. Privacy Principles

Principle A: Victoria Hospice's Accountability

- A.1 Victoria Hospice is accountable for the protection of stakeholders' personal information. While the Boards of Directors are ultimately accountable for the protection of personal information, the day-to-day monitoring for compliance may be delegated to other staff.
- A.2 The overall responsibility for the protection of personal information and compliance with this code rests with Victoria Hospice's Privacy Officer.
- A.3 Victoria Hospice is committed to ensuring that the appropriate security measures are employed in the transfer of sensitive information. However, Victoria Hospice is not accountable for any damages suffered when a stakeholder transmits personal information through e-mail or wireless communication or when Victoria Hospice transmits information, at the request of a stakeholder, using unsecured methods.
- A.4 Victoria Hospice has developed policies and procedures to:
 - A.4.1 Protect personal information;
 - A.4.2 Receive and respond to complaints and inquiries;
 - A.4.3 Train staff regarding the policies and procedures; and
 - A.4.4 Communicate the policies and procedures to our stakeholders.

Principle B: Identifying the Purposes of Personal Information

- B.1 Victoria Hospice will communicate the purposes for which information is being collected, either orally or in writing.
- B.2 Victoria Hospice collects Stakeholder personal information for the following reasons only:

- B.2.1 To provide hospice palliative care;
- B.2.2 To understand the health care needs of our stakeholders;
- B.2.3 To develop and improve the health care services to meet the needs of our stakeholders;
- B.2.4 To contact our stakeholders directly for health care services they may require;
- B.2.5 To determine the eligibility of our stakeholders for different services;
- B.2.6 To ensure a high standard of service to our stakeholders;
- B.2.7 To meet Canada Revenue Agency and other regulatory requirements;
- B.2.8 To provide stakeholders with information about how donated funds are being used;
- B.2.9 To provide stakeholders with information about VH activities and events.

Principle C: Stakeholder Consent

C.1 Victoria Hospice will obtain stakeholder consent to collect, use or disclose any personal information except where detailed in this code. Victoria Hospice will make reasonable efforts to ensure that stakeholders understand how their personal information will be used and disclosed.

C.2 A stakeholder's consent can be express, implied or given through an authorized representative such as a lawyer, agent or broker. A stakeholder can withdraw consent at anytime, with certain exceptions (see Section B.2.7). Victoria Hospice, however, may collect, use or disclose personal information without the stakeholder's knowledge or consent in exceptional circumstances:

- C.2.1 When such collection, use or disclosure is required by law;
- C.2.2 When use of information is for acting in an emergency that threatens an individual's life, health or personal safety;
- C.2.3 When equivalent information is publicly available;
- C.2.4 When we need to deal with an anticipated breach of law, or when we require legal advice from a lawyer.

C.3 Consent may be given orally, in writing, or electronically. For example, depending on the sensitivity of the information, consent can be expressed over the telephone when information is being collected; electronically when submitting an agreement, application, or other information; in writing when signing an agreement or application form; when using a product or service; when indicated by means of a check-off box whether or not consent is granted.

Principle D: Limits for Collecting Personal Information

D.1 Victoria Hospice will only collect personal information for the purposes identified at the time of collection. Victoria Hospice will use methods that are lawful and will not collect information indiscriminately.

Principle E: Limits for Using, Disclosing and Keeping Personal Information

- E.1 Stakeholder information will only be used or disclosed for the purpose for which it was collected. Victoria Hospice will not use personal information for any additional purpose, unless Victoria Hospice obtains stakeholder consent to do so.
- E.2 Victoria Hospice will not sell, rent, or trade stakeholder lists or personal information to Third Parties.
- E.3 If an outside entity is employed to conduct research on behalf of Victoria Hospice or provide other services that require access to stakeholder information, Victoria Hospice will ensure that appropriate security undertakings, such as confidentiality clauses in contractual arrangements, are employed to protect the transfer and use of personal information.
- E.4 Victoria Hospice will retain stakeholder personal information only as long as necessary or expected to be necessary for the identified purposes, or as required by legislation.

Principle F: Accuracy

- F.1 Victoria Hospice will make reasonable efforts to ensure that stakeholder personal information is as accurate, complete and current as required for the purposes for which it was collected.
- F.2 Victoria Hospice will routinely update information when it is necessary to fulfill the purpose for which it was originally collected (i.e., change of address)
- F.3 Stakeholders may request amendments to the records at Victoria Hospice in order to ensure the accuracy and completeness of their personal information. If the requested amendment requires changes that cannot be accommodated, the Victoria Hospice Privacy Officer will be engaged to formally address the stakeholder's request (see Principle J: Compliance & Complaints for Privacy Officer contact information).

Principle G: Safeguarding Personal Information

- G.1 Victoria Hospice is committed to the safekeeping of stakeholder personal information in order to prevent its loss, theft, unauthorized access, disclosure, duplication, use or modification.

G.2 Depending on the sensitivity of the information, Victoria Hospice will employ appropriate security measures to protect the information. The measures may include, for example, the physical security of offices and data centres and electronic security measures such as passwords, encryption and personal identification numbers.

G.3 Victoria Hospice will use appropriate security measures when permanently disposing of stakeholder personal information.

G.4 The development of Victoria Hospice's policies and procedures for the protection of personal information is an ongoing process. Changes in technology necessitate that Victoria Hospice continually develops, updates and reviews information protection guidelines and controls to ensure ongoing information security.

Principle H: Availability of Privacy Policies

H.1 Victoria Hospice is open about the privacy policies and procedures it uses to protect stakeholder personal information. Copies of these policies will be made available to stakeholders upon request, either electronically or in written format, in plain language.

Principle I: Providing Stakeholder Access to Personal Information

I.1 Stakeholders have a right to access their personal information held by Victoria Hospice. Upon request in writing, Victoria Hospice will, within a reasonable time period, tell the stakeholder what personal information it has, what it is being used for and to whom it has been disclosed if applicable and within the time period for which records are available. The information will be made available in an appropriate format for stakeholders with a sensory disability.

I.2 Stakeholders may be asked to be specific about the information they would like to access and to submit their request in writing.

I.3 Stakeholders will be required to provide personal information to identify themselves to enable Victoria Hospice to provide an account of the existence, use and disclosure of personal information.

I.4 Victoria Hospice will make the information available within 30 working days, or provide written notice of the extension where additional time is required to fulfill the request. When information is not provided within 30 working days of the request, Victoria Hospice will, no later than 30 days after the date of the request, send a notice of extension to the stakeholder, advising of the new time limit, the reasons for extending the time limit and of the right of the stakeholder to make complaint to the BC Privacy Commissioner regarding the extension.

I.5 The information will be made available at a cost that will vary with the type and amount of information requested. Where a cost will be incurred by the stakeholder, Victoria Hospice will inform the stakeholder of the cost and request further direction from the stakeholder on whether or not Victoria Hospice should proceed with the request.

I.6 When reporting to stakeholders to whom their information has been disclosed, Victoria Hospice will not document information transfers necessary for the daily provision of services to stakeholders. Upon request, Victoria Hospice will provide a list of organizations where stakeholder personal information may have been sent.

I.7 If a request cannot be accommodated, Victoria Hospice will notify the stakeholder in writing, documenting the reasons for refusal and the resources for redress available to the stakeholder.

I.8 In certain situations, Victoria Hospice may not be authorized to provide access to personal information about a stakeholder. In such cases, Victoria Hospice will explain the reasons it cannot provide the requested information, and will identify resources for recourse available to the stakeholder. The reasons for not releasing information may include, but are not limited to:

- I.8.1 that it is unreasonably costly to provide the information;
- I.8.2 that the information released might threaten the life or security of another individual;
- I.8.3 that the information is subject to solicitor-client or litigation privilege;
- I.8.4 that the information refers to private information of other individuals;
- I.8.5 that the information is subject to a publication ban (formal dispute resolutions), and;
- I.8.6 that the information cannot be disclosed for other legal, security or proprietary reasons.

I.9 If the information is demonstrated to be inaccurate or incomplete, Victoria Hospice will amend the information as required. Where appropriate, Victoria Hospice will transmit the amended information to Third Parties that have access to the information in question.

Principle J: Compliance and Complaints

J.1 Stakeholders are to direct any complaints, concerns or questions regarding this privacy code in writing to the Privacy Officer. If the Privacy Officer is unable to address the stakeholder's concerns, the issues can be referred to the office of the Executive Director. At any point in this process the stakeholder may also write to the BC Privacy Commissioner.

J.2 Privacy Contact Information:
Victoria Hospice Society/Victoria Hospice and Palliative Care Foundation
4th Floor, Richmond Pavilion, 1952 Bay Street, Victoria, BC, V8R 1J8
Attention: The Privacy Officer
Phone: (250) 370-8715 Fax: (250) 370-8843



Document Name:
Issuing Authority:
Additional Reviews:
Approved/Revised Date:
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Privacy Code Policy
Executive Director
Privacy Officer
September 2018
September 2020 (or as required)

6. Cross References & Related Documents

6.1. Confidentiality Policy

6.2. Vancouver Island Health Authority terms of employment & privacy policies (various)